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9 DONAHUE SCHRIBER REALTY GROUP, L.P.,  
10 a Delaware limited partnership

11 UNITED STATES BANKRUPTCY COURT  
12 EASTERN DISTRICT OF VIRGINIA  
13 RICHMOND DIVISION

14 IN RE:

15 CIRCUIT CITY STORES, INC., *et al.*,  
16 Debtors.

Chapter 11

Case No. 08-35653-KRH

Jointly Administered

17 **RESPONSE OF DONAHUE SCHRIBER  
18 REALTY GROUP, L.P. TO DEBTORS'  
19 TENTH OMNIBUS OBJECTION TO  
20 CERTAIN DUPLICATE CLAIMS**

21 This response is filed by Donahue Schriber Realty Group, L.P., a Delaware limited  
22 partnership ("DSRG") to the Debtor's Tenth Omnibus Objection to Certain Duplicate Claims (the  
23 "Debtors' Objection"). In Debtors' Objection, Debtors' assert that Greenback's Claim Nos. 12822  
24 and 12519 in the amount of \$40,726.80 and Claim Nos. 12518 and 12834 in the amount of  
25 \$618,611.47 are duplicative of Greenback's Claim Nos. 12863 and 12859, respectively.

26 In submitting its claims, Donahue Schriber Realty Group submitted two claims prior to  
27 the claims bar cut-off. One claim was for post-petition rent in the amount of \$40,726.80 and the  
28 second claim was for pre-petition arrearages and rejection damages in the amount of \$618,611.47.

Donahue Schriber Realty Group agrees that Claims No. 12822, 12519, 12518, 12834 are  
duplicate, apparently recorded by KCC more than once in their claim database. The claims  
sought to be eliminated by Debtors have been recorded in the claims database of Kurtzman

1 Carson Consultants ("KCC") as being filing on April 30, 2009 and May 1, 2009. The surviving  
2 claims are identified as being filed on May 6, 2009.

3 Given that the claims bar date was April 30, 2009, DSRG timely filed its claim (see Claim  
4 Nos. 12518 and 12519). Because Debtors seek to eliminate DSRG's timely filed claims and have  
5 the untimely claims survive, Debtors must be prevented from later claiming that the surviving  
6 claims were untimely.

7 Based thereon, DSRG requests that the court grant Debtors' objection to DSRG's Claim  
8 Nos. 12518 and 12519 as duplicative claims subject to the restriction that Debtors can not later  
9 claims that the surviving claims were untimely.

10 Dated: June 26, 2009

TRAINOR FAIRBROOK

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12 By: /s/ Nancy Hotchkiss  
13 NANCY HOTCHKISS  
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**PROOF OF SERVICE BY OVERNIGHT DELIVERY**

I am a citizen of the United States and employed in Sacramento County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 980 Fulton Avenue, Sacramento, California 95825-4558. On June 29, 2009, I deposited, with Federal Express, a true and correct copy of the within documents:

**RESPONSE OF DONAHUE SCHRIER REALTY GROUP, L.P.  
TO DEBTORS' TENTH OMNIBUS OBJECTION TO CERTAIN  
DUPLICATIVE CLAIMS**

in a sealed envelope, addressed as follows:

Gregg M. Galardi, Esquire  
Ian S. Fredericks, Esquire  
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post Office Box 636  
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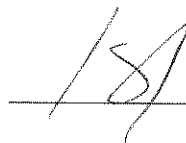
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Richmond, Virginia 23219-1888

Following ordinary business practices, the envelope was sealed and placed for collection by Federal Express on this date, and would, in the ordinary course of business, be retrieved by Federal Express for overnight delivery on this date.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on June 29, 2009, at Sacramento, California.



Sandra Morris